

Serial No.: 10/805,080

Art Unit: 2125

**REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed October 4, 2005. Through this response, claims 1-3, 5-8, 9, and 14 have been amended, and claims 4, 10, and 13 have been canceled without prejudice, waiver, or disclaimer. Reconsideration and allowance of the application and pending claims 1-3, 5-9, 11-12, and 14-22 are respectfully requested.

**I. Claim Rejections - 35 U.S.C. § 102(e)****A. Statement of the Rejection**

Claims 1, 2, 4, 6, 9, 10, 13-16, and 18 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by *Blake* ("*Blake*," U.S. Pub. No. 2003/0137267). Applicant respectfully traverses this rejection.

**B. Discussion of the Rejection**

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the *Blake* reference.

**Independent Claim 1**

Claim 1 recites (with emphasis added):

1. A method for controlling fans comprising:  
*connecting a plurality of thermal sensors together in a parallel electrical configuration;*

Serial No.: 10/805,080

Art Unit: 2125

*directly connecting the plurality of thermal sensors to a thermal data channel of a controller; and*  
controlling cooling devices in accordance with the thermal data channel.

Applicant respectfully submits that *Blake* does not disclose, teach, or suggest at least the emphasized claim features. *Blake* discloses in Figure 2 that the temperature sensors 210 and 211 are coupled to what appears to be an OR-type switching multiplexer (e.g., see paragraph [0050]). In an OR configuration, each sensor is independently coupled to the multiplexer and not directly connected to the other sensor. Further, the sensors 210 and 211 are not directly connected to a thermal data channel. Since this arrangement is in contrast to the above-emphasized features of independent claim 1, Applicant respectfully requests that the rejection to independent claim 1 be withdrawn.

Because independent claim 1 is allowable over *Blake*, dependent claims 2-3 and 5-8 are allowable as a matter of law for at least the reason that the dependent claims 2-3 and 5-8 contain all elements of their respective base claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

#### **Independent Claim 9**

Claim 9 recites (with emphasis added):

9. An electronic assembly comprising:  
means for housing a plurality of active integrated circuit devices; and  
means for controlling cooling devices proximal to select integrated circuit devices, wherein said means for controlling cooling devices is coupled to a combination of a *first thermal sensing means directly connected in a parallel electrical configuration to a second thermal sensing means, wherein said means for controlling cooling devices uses a single thermal data channel directly connected to the first and second thermal sensing means to sense thermal information provided by the first and second thermal sensing means.*

For similar reasons to those provided in association with independent claim 1, Applicant respectfully submits that *Blake* fails to disclose, teach, or suggest at least the above-

BEST AVAILABLE COPY

Serial No.: 10/805,080  
Art Unit: 2125

emphasized claim features, and thus respectfully requests that the rejection to independent claim 9 be withdrawn.

Because independent claim 9 is allowable over *Blake*, dependent claims 11-12 are allowable as a matter of law.

#### Independent Claim 14

Claim 14 recites (with emphasis added):

14. An apparatus comprising:

a first device fan located proximal to a first select electrical device;

a second device fan located proximal to a second select electrical device;

*a first thermal sensor directly connected in a parallel electrical configuration to a second thermal sensor*, wherein the first thermal sensor is located proximal to the first select electrical device and the second thermal sensor is located proximal to the second select electrical device; and

a fan controller having a first thermal data channel *connected directly to the first and second thermal sensors*.

For similar reasons to those provided in association with independent claim 1, Applicant respectfully submits that *Blake* fails to disclose, teach, or suggest at least the above-emphasized claim features, and thus respectfully requests that the rejection to independent claim 14 be withdrawn.

Because independent claim 14 is allowable over *Blake*, dependent claims 15-22 are allowable as a matter of law.

Due to the shortcomings of the *Blake* reference described in the foregoing, Applicant respectfully asserts that *Blake* does not anticipate Applicant's claims. Therefore, Applicant respectfully requests that the rejection of these claims be withdrawn.

Serial No.: 10/805,080

Art Unit: 2125

**II. Claim Rejections - 35 U.S.C. § 103(a)****A. Statement of Rejection**

Claims 3, 8, 11, and 12 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Blake*. Claims 5, 7, 17, 19, and 20 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Blake* as applied to claims 1, 2, 4, 6, 9, 10, 13-16, and 18 above, and further in view of the article "Analog Devices -- dBCOOL (tm) Remote Thermal Controller and Voltage Monitor ADM 1027" "Analog Devices -- dBCOOL". Claims 1-4, 6, 8-16, 18, and 21-22 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Kim et al.* ("*Kim*," U.S. Pub. No. 2004/0075981) in view of *Blake*. Claims 5, 7, 17, 19, and 20 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Kim* in view of *Blake* as applied to claims 1-4, 6, 8-16, 18, and 21-22 above, and further in view of Analog Devices -- dBCOOL. Applicant respectfully traverses these rejections.

**B. Discussion of the Rejection**

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *See In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge

Serial No.: 10/805,080  
Art Unit: 2125

generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must be found in the prior art, and not based on applicant's disclosure.

In the present case, Applicant respectfully submits that a *prima facie* case for obviousness has not been established.

**Claims 3, 8, 11, and 12—Blake reference**

Since independent claims 1 and 9 are allowable over *Blake*, as asserted above, and for at least the reason that dependent claims 3, 8, 11, and 12 contain the features of their respective base claim, Applicant respectfully submit that claims 3, 8, 11, and 12 are allowable as a matter of law. Thus, Applicant respectfully requests that the rejection to claims 3, 8, 11, and 12 be withdrawn.

**Claims 5, 7, 17, 19, and 20—Blake in view of the Analog Devices article**

Independent claims 1 and 14 are allowable over *Blake*, as asserted above. Applicant respectfully submits that the Analog Devices article fails to remedy these deficiencies. In particular, the Analog Devices article appears to disclose sensors coupled to a multiplexer, but not directly connected to each other as claimed (see for example, Figure 28). Since dependent claims 5, 7, 17, 19, and 20 contain the features of their respective base claim, Applicant respectfully submit that claims 5, 7, 17, 19, and 20 are allowable over *Blake* in view of the Analog Devices article as a matter of law. Thus, Applicant respectfully requests that the rejection to claims 5, 7, 17, 19, and 20 be withdrawn.

Serial No.: 10/805,080

Art Unit: 2125

**Claims 1-4, 6, 8-16, 18, and 21-22-- *Kim* in view of *Blake***

Applicant respectfully submits that *Kim* in view of *Blake* fails to disclose, teach, or suggest at least the above mentioned emphasized claim features. *Kim* fails to disclose the nature of the connectivity of the sensors, and thus fails to provide a basis to support a rejection on at least the emphasized claim features. *Blake*, as discussed above, fails to remedy these deficiencies. Thus, Applicant respectfully requests that the rejection to independent claims 1, 9, and 14 and respective dependent claims 2-3, 6, 8, 11-12, 14-16, 18, and 21-22 be withdrawn.

**Claims 5, 7, 17, 19, and 20--*Kim* in view of *Blake* and further in view of Analog Devices**

Independent claims 1, 9, and 14 are allowable over *Kim* in view of *Blake*, as asserted above. The Analog Devices article fails to remedy these deficiencies. In particular, the Analog Devices article appears to disclose sensors coupled to a multiplexer, but not directly to each other as claimed (see for example, Figure 28). Since dependent claims 5, 7, 17, 19, and 20 contain the features of their respective base claim, Applicant respectfully submit that claims 5, 7, 17, 19, and 20 are allowable over *Kim* in view of *Blake* and further in view of the Analog Devices article as a matter of law. Thus, Applicant respectfully requests that the rejection to claims 5, 7, 17, 19, and 20 be withdrawn.

In summary, it is Applicant's position that a *prima facie* for obviousness has not been made against Applicant's claims. Therefore, it is respectfully submitted that each of these claims is patentable over the art of record and that the rejection of these claims should be withdrawn.

Serial No.: 10/805,080

Art Unit: 2125

**III. Canceled Claims**

As identified above, claims 4, 10, and 13 have been canceled from the application through this Response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

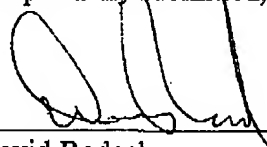
Serial No.: 10/805,080

Art Unit: 2125

**CONCLUSION**

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



David Rodack  
Registration No. 47,034

**BEST AVAILABLE COPY**